

FILED
U.S. DISTRICT COURT
MIDDLE GEORGIA
IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION 2009 JUL 6 PM 12 15

DEPUTY CLERK

GABRIELLE and DARYL MEUNIER,)
Husband and wife, individually, and)
as Next Friends and Natural Guardians of)
CHRISTOPHER MICHAEL MEUNIER,)
a minor,)
Plaintiffs,) NO. 1:09-CV-12-WLS
v.)
PEANUT CORPORATION OF)
AMERICA, a Georgia corporation;)
KELLOGG COMPANY, a Delaware corporation;)
and STEWART PARRELL, individually,)
Defendants.)

NOTICE OF VOLUNTARY DISMISSAL OF DEFENDANT STEWART PARNELL
WITHOUT PREJUDICE

COMES NOW the plaintiffs to hereby voluntarily dismiss from this action defendant Stewart Parnell, pursuant to Rule 41(a)(1)(A)(i), without prejudice or award of costs.

Because the defendant Parnell has filed neither an answer nor a motion for summary judgment, no stipulation of dismissal is required under the rules.^{Proc. 26}

ACCORDINGLY, the plaintiffs hereby respectfully request that the Court dismiss from this action defendant Stewart Parnell without prejudice or award of costs to any parties.

DATED: June 10, 2009

ON BEHALF OF THE PLAINTIFFS:

/s/ William D. Marler
William D. Marler, WSBA #17233
bmarler@marlerclark.com

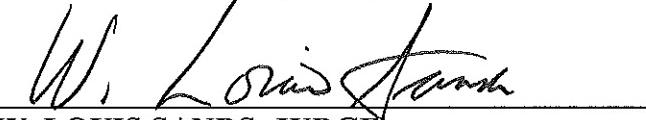
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Attorneys for the plaintiffs

SO ORDERED, this 2nd day of July, 2009.


W. Louis Sands
W. LOUIS SANDS, JUDGE
UNITED STATES DISTRICT COURT